

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA

v.

NATIN PAUL

Case No. 23-cr-100-DAE

**DEFENDANT’S UNOPPOSED MOTION FOR ISSUANCE OF
SUBPOENAS DUCES TECUM FOR PRETRIAL PRODUCTION OF DOCUMENTS**

Discovery in this matter is extremely voluminous and ongoing. The defense anticipates, however, that it will need to subpoena additional documents that are relevant to the defense for production before trial. This case includes allegations regarding investors and financial institutions, and (1) follow-up discovery from existing sources or (2) discovery from new sources will likely be necessary for Mr. Paul’s defense. Mr. Paul would treat any subpoenaed documents as subject to the protective order in this case (and he would provide that order to the subpoenaed party), and the rule of reciprocal discovery would apply to any documents he receives that he intends to use in his case in chief. The United States does not object to this motion.

Legal Standard: Federal Rule of Criminal Procedure 17(c) specifically authorizes the issuance of subpoenas for the pretrial production of documents not obtainable through Federal Rule of Criminal Procedure 16. *See Bowman Dairy Co. v. United States*, 341 U.S. 214, 219 (1951). This procedure helps to “expedite the trial by providing a time and place before trial for the inspection of the subpoenaed materials.” *Id.* at 220 (citation omitted). *See also United States v. Nixon*, 418 U.S. 683 (1974).

* * *

For the foregoing reasons, and under the conditions mentioned above, the defense asks the Court to authorize it to issue subpoenas to third parties to produce documents to defense counsel before trial.

Dated: May 6, 2024

Respectfully submitted,

By /s/ Tobin Romero
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CERTIFICATE OF CONFERENCE AND SERVICE

This United States does not object to this motion.

This pleading was filed and distributed to all counsel of record through the Court's ECF system.

/s/ Gerry Morris
E.G. Gerry Morris

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ORDER

Defendant Nate Paul's Unopposed Motion for Issuance of Subpoenas *Duces Tecum* is GRANTED. He may issue subpoenas to third parties for production of documents before trial; such documents shall be governed by the terms of the protective order in this case; and he shall produce to the government documents that he intends to use in his case in chief.

SIGNED this ____ day of _____, 2024, at Austin, Texas.

United States District Judge